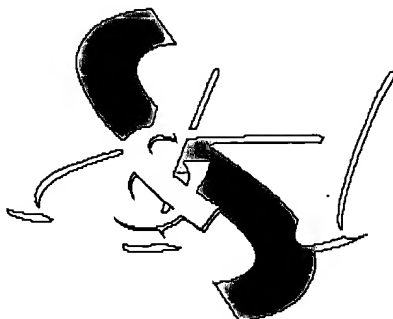


JUN 25 2004



smith &amp; hopen, p.a.

OFFICIAL

15950 Bay Vista Drive, Suite 220  
Clearwater, Florida 33760  
727.507.8558 Tel  
727.507.8668 Fax  
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FOX

INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Ronald E. Smith
Attn:	Dean J. Kramer - Tech. Center 3652	Client:	1053.18
Fax:	(703) 872-9326	Pages:	18 including coversheet
Phone:	(703) 308-2181	Date:	June 25, 2004
Re:	USPN: 09/681,814	CC:	
<input type="checkbox"/> Urgent <input checked="" type="checkbox"/> For Review <input type="checkbox"/> Please Comment <input type="checkbox"/> Please Reply <input type="checkbox"/> Please Recycle			

Dear Examiner Kramer:

Enclosed please find:

1. Status Inquiry (2 page);
2. A copy of PAIR printout (2 page); and
3. A copy of the petition and return postcard receipt (15 pages).

Best regards,

Ronald E. Smith  
Reg. No. 28,761

The documentation accompanying this transmission contains information from the Law Office of Smith & Hopen, P.A., which is confidential and/or privileged. The information is intended only for the use of the individual or entity named on this sheet. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution, or the taking of any action in reliance upon the contents of this telecopied information is strictly prohibited. If you have received this transmission in error, please notify us by telephone immediately, so that we can arrange for the return of the original documents to us at no cost to you.



Smith & Hopen, PA  
U.S. Registered Patent Attorneys  
15950 Bay Vista Drive, Suite 220  
Clearwater, Florida 33760  
(727) 507-8558 Telephone (727) 507-8668 Fax

## STATUS INQUIRY

### Petition to Withdraw the Holding of Abandonment

Faxed to Technology Center 3600 at (703) 872-9326  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date: June 25, 2004  
In re application of: David W. Pratt  
Application No.: 09/681,814  
Filed: 06/11/2002  
For: Dual Function Bailer  
Group No.: 3652  
Examiner: Dean J. Kramer  
Practitioner's Docket No. 1053.18

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1. Almost 2 months have passed since the April 30, 2004 filing of a Response to the Decision on Renewed Petition to Withdraw the Holding of Abandonment under 37 CFR 1.81 for the above-referenced patent application. No communication has been received from the Patent and Trademark Office indicating action on this petition.
2. Patent Application Information Retrieval (PAIR) indicates that no petition has been entered as of this date (a copy of PAIR printout is enclosed).
3. A copy of the petition and return postcard receipt indicating that the petition was received on May 3, 2004 is also enclosed.
4. Kindly advise the undersigned of the present status of this petition, by checking the appropriate box on the next page and faxing to (727) 507-8668.

Reg. No. 28,761  
Tel. No.: (727) 507-8558

Customer No.: 21901

SIGNATURE OF PRACTITIONER  
Ronald E. Smith  
Smith & Hopen, P.A.  
15950 Bay Vista Dr. Ste. 220  
Clearwater, FL 33760 U.S.

#### CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

##### MAILING

deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

##### FACSIMILE

☒ transmitted by facsimile to the Patent and Trademark Office, Technology Center 3652, Attn: Dean J. Kramer, (703) 872-9326.

Date: June 25, 2004

Shelley Butz  
(type or print name of person certifying)

(Status Inquiry - Page 1 of 2)

Practitioner's Docket No. 1053.18

## STATUS INQUIRY REPLY

THE PETITION TO WITHDRAW THE HOLDING OF ABANDONMENT ON APPLICATION SERIAL NO. 09/681,814 HAS BEEN:

- ☐ GRANTED  
☐ DENIED  
☐ AWAITS REVIEW

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being:

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## FACSIMILE

X transmitted by facsimile to the Patent and Trademark Office, Technology Center 3652, Attn: Dean J. Kramer, (703) 872-9326.

Date: June 25, 2004

Shelley Butz  
Signature

Shelley Butz  
(type or print name of person certifying)

(Status Inquiry - Page 2 of 2)

PAIR Page

Page 1 of 2



United States Patent and Trademark Office

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## PATENT APPLICATION INFORMATION RETRIEVAL

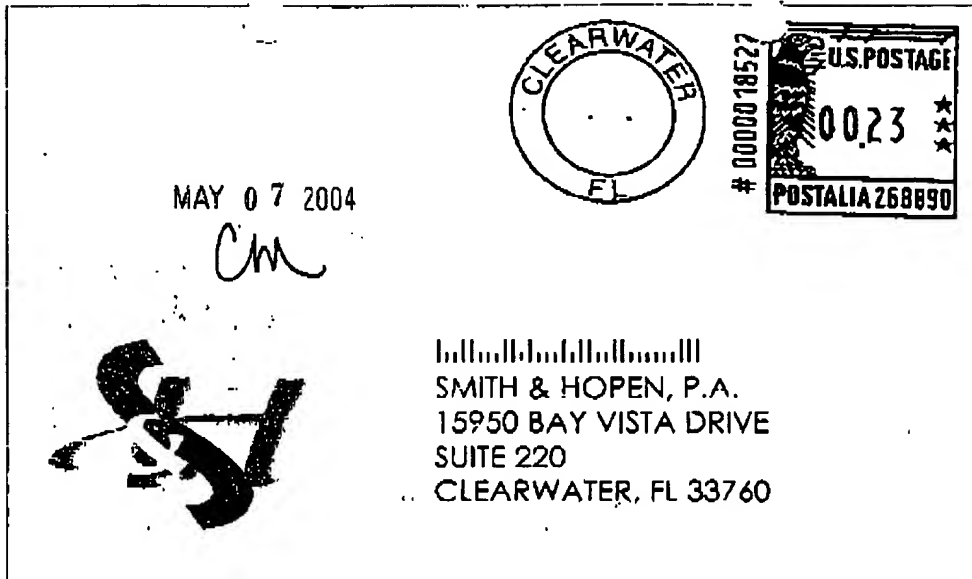



Search results for application number: 09/681,814			
Application Number:	09/681,814	Customer Number:	21901
Filing or 371(c) Date:	06-11-2001	Status:	Abandoned -- Failure to Respond to an Office Action
Application Type:	Utility	Status Date:	08-13-2003
Examiner Name:	KRAMER, DEAN J	Location:	TC 3600 SPRE DETAILEE 1, PK5-8T12, 703-605-4329
Group Art Unit:	3652	Location Date:	06-14-2004
Confirmation Number:	6882	Earliest Publication No:	US 2002-0185878 A1
Attorney Docket Number:	1053.18	Earliest Publication Date:	12-12-2002
Class/ Sub-Class:	294/068.25	Patent Number:	-
First Named Inventor:	David Pratt, Clearwater, FL	Issue Date of Patent:	-
Title Of Invention: Dual function baller			

## Search Options

File History	
Date	Contents Description
04-19-2004	Petition Decision - Dismissed
02-04-2004	Petition Entered
01-20-2004	Petition Decision - Dismissed
09-03-2003	Petition Entered
08-19-2003	Mail Abandonment for Failure to Respond to Office Action
08-13-2003	Abandonment for Failure to Respond to Office Action
12-24-2002	Mail Non-Final Rejection
12-20-2002	Non-Final Rejection
12-09-2002	Case Docketed to Examiner in GAU
12-04-2002	Date Forwarded to Examiner
11-19-2002	Response to Election / Restriction Filed
10-31-2002	Case Docketed to Examiner in GAU
10-21-2002	Mail Restriction Requirement
09-26-2002	Requirement for Restriction / Election
07-02-2002	Information Disclosure Statement (IDS) Filed
07-26-2001	Case Docketed to Examiner in GAU

5/21/200



RECEIVED THE UNITED STATES PATENT AND TRADEMARK OFFICE	
<b>Applicant:</b>	David W. Pratt
<b>Serial No.:</b>	09/681,814
<b>Filing Date:</b>	06/11/2002
<b>For:</b>	Dual Function Bailer
<b>Examiner:</b>	Dean J. Kramer
<b>Art Unit:</b>	3652
<b>Confirm No.:</b>	6882
<b>Our Ref.:</b>	1053.18
	
Transmittal Letter with Certificate of Mailing under 37 C.F.R. § 1.8 dated April 30, 2004 - (1 page);	
Statement of Facts in Support of Timely Filed Response to Outstanding Office Action - (2 pages);	
Copy of response to non-final examiner's action with Certificate of Facsimile Transmission dated March 14, 2003 - (9 pages); and	
Copy of Auto-Reply Facsimile Transmission (1 page).	



April 30, 2004

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Applicant:** David W. Pratt  
**Serial No.:** 09/681,814  
**Filed:** 06/11/2001  
**For:** Dual Function Bailer  
**Our Reference No.:** 1053.18

**Examiner:** Dean J. Kramer  
**Art Unit:** 3652  
**Confirmation No.:** 6882

Dear Sir:

In response to the Decision on Renewed Petition to Withdraw the Holding of Abandonment under 37 CFR 1.81 mailed on April 19, 2004, we enclose the following:

1. Statement of Facts In Support of Timely Filed Response to the Office Action dated December 24, 2002 having a Certificate of Mailing dated April 30, 2004;
2. Copy of response to non-final examiner's action having a Certificate of Facsimile Transmission dated March 14, 2003 (9 pages);
3. Copy of Auto-Reply Facsimile Transmission indicating timely receipt by the Office (1 page); and
4. Self-addressed and postage pre-paid post card to serve as a receipt for items 1 and 3.

Very respectfully,

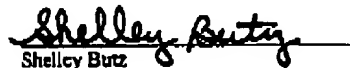
**SMITH & HOPEN**

  
By: Ronald E. Smith  
ron.smith@baypatents.com  
RES/sb  
Encl.

**CERTIFICATE OF MAILING**  
(37 C.F.R. 1.8)

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 30, 2004.

Date: April 30, 2004

  
Shelley Butz